

Medical Board of California
Division of Licensing
Disclaimers, Status Definitions and Explanatory Information
Specific Language of Proposed Changes

Adopt section 1355.35 in Article 1 of Chapter 2 of Division 13 of Title 16 California Code of Regulations to read as follows:

1355.35. Disclaimers and Explanatory Information Applicable to Internet Postings.

License Status Definitions.

(a) The following disclaimers, as appropriate, shall be provided with information released on the Internet:

(1) Administrative Citation Issued:

A citation and/or fine has been issued for a minor violation of the law. This is not considered disciplinary action under California law but is an administrative action. Payment of the fine amount represents satisfactory resolution of this matter.

(2) Administrative Disciplinary Actions

The Medical Board's public disclosure screens are updated periodically as new information becomes available. Please contact the Central File Room at (916) 263-2525 or at 1426 Howe Avenue, Suite 54, Sacramento, CA 95825, to obtain a copy of public documents at a minimal charge.

(3) Arbitration Award:

An arbitration award is a payment for damages and does not necessarily reflect that the physician's medical competence is below the standard of care. The Medical Board reviews all such reported arbitration awards and action is taken only if it is determined that a violation of the Medical Practice Act occurred. The Medical Board is prohibited by law from releasing a copy of the arbitration award report or any other information

concerning the award.

(4) Disciplinary Actions Taken by Other State or Federal Government:

This information is provided by another state/federal government agency. The Medical Board of California may take disciplinary action based on the discipline imposed by another state/federal government agency. For more information or verification, contact the agency listed below that imposed the discipline.

(5) Felony Convictions:

The information provided only includes felony convictions that are known to the Board. All felony convictions known to the Board are reviewed and administrative action taken only if it is determined that a violation of the Medical Practice Act occurred. For more information regarding felony convictions, contact the court of jurisdiction listed below.

(6) Hospital Disciplinary Actions:

The action taken by this healthcare facility against this physician's staff privileges to provide healthcare services at this facility was for a medical disciplinary cause or reason. The Medical Board is authorized by law to disclose only revocations and terminations of staff privileges. The Medical Board is prohibited from releasing a copy of the actual report or any other information.

(7) Malpractice Judgment:

A malpractice judgment is a payment for damages and does not necessarily reflect that the physician's medical competence is below the standard of care. The Medical Board reviews all such reported judgments and action taken only if it is determined that a violation of the Medical Practice Act occurred. The Medical Board is prohibited by law from releasing a copy of the judgment report or any other information concerning the judgment. For more information contact the court of jurisdiction listed below.

(8) Malpractice Settlement:

A settlement entered into by the licensee is a resolution of a claim for damages for death or personal injury caused by the licensee's negligence, error, or omission in practice, or by his or her rendering of unauthorized professional services. The Medical Board is required by law to disclose certain information related to the existence of multiple settlements made on or after January 1, 2003 in an amount of \$30,000 or more.

(b) Information released on the Internet shall be accompanied by a listing of the types of information available from the board on the Internet about physicians licensed by the board and a listing of the types of information that is confidential and not available from the board.

(c) The chart below defines the terms related to the status of a license for purposes of information released about a licensee.

| Description Displayed on Web Site | Public Definition of Status Code |
|--|---|
| LICENSE CANCELED | License has been voluntarily canceled; or the license has been expired for at least five years and has not been renewed. No practice is permitted. |
| LICENSEE DECEASED | Licensee is deceased. |
| LICENSE DELINQUENT | License renewal fee has not been paid. No practice is permitted. |
| LICENSE REVOKED | License has been revoked as a result of disciplinary action rendered by the Board. No practice is permitted. |
| LICENSE SUSPENDED | Licensee has been suspended and no practice is permitted. |
| LICENSE DENIED - FAMILY SUPPORT | License denied for noncompliance with a judgment or order for support. No practice is permitted. Questions should be directed to the Department of Consumer Affairs' Family Support Unit at (916) 323-0884. |
| LICENSEE IN MILITARY | Practice is limited to military service including military dependants. |
| LICENSE INACTIVE | Licensee is required to pay the full renewal fee but is exempt from complying with the continuing medical education requirements. No practice is permitted. |
| LICENSE RENEWED & | Licensee meets requirements for the practice of |

| | |
|--|--|
| CURRENT | medicine in California. |
| LICENSE RENEWAL PENDING | Licensee failed to certify compliance with the continuing medical education requirement and/or failed to certify that he or she disclosed the names of those health-related facilities in which the licensee and/or family may have a financial interest. Practice is permitted unless license expires. |
| LICENSE RENEWAL PENDING | Licensee failed to certify compliance with the continuing medical education requirements and/or failed to certify that he or she disclosed the names of those health-related facilities in which the licensee and/or family may have a financial interest. Practice is permitted unless license expires. |
| LICENSE RETIRED | License is in retired status and the licensee is exempt from payment of the renewal fee. Effective 7/1/04, no practice is permitted. |
| LICENSE SURRENDERED | Licensee has surrendered his or her license to resolve a disciplinary action. No practice is permitted. |
| FAILURE TO PAY FINE | Licensee failed to pay a fine associated with a citation. Unless paid, license will be ineligible for renewal. Practice is permitted unless license expires. |
| CONTINUING EDUCATION REQUIRED | The licensee has not demonstrated compliance with continuing medical education requirements either as a result of an annual random audit or due to denial of a waiver. Practice is permitted unless license expires. |
| LICENSE IN VOLUNTARY SERVICE | License is in voluntary service status for the sole purpose of providing voluntary unpaid service to a public agency, not-for-profit agency, institution, or corporation which provides medical services to indigent patients in medically underserved or critical-need population areas of California. |
| LICENSE DISABLED | Licensee is unable to practice due to a disability. No practice is permitted. |
| 150 DAY TEMPORARY LICENSE - FAMILY SUPPORT | Licensee issued a temporary 150-day license for noncompliance with a judgment or order for support. Practice is permitted until the license expiration date. Questions should be directed to the Department of Consumer Affairs' Family Support Unit at (916) 323-0884. |
| PERMANENT CONTINUING EDUCATION WAIVER | Licensee has a permanent waiver of the continuing medical education requirements. |
| TEMPORARY CONTINUING EDUCATION WAIVER | Licensee has a temporary waiver of the continuing medical education requirements. |

| | |
|--|--|
| VOLUNTARY SURRENDER OF LICENSE | Licensee has voluntarily surrendered the license and the surrender has been accepted by the Board. No disciplinary action was involved. No practice is permitted. |
| NAME CHANGE | Licensee's name has been changed. |
| PUBLIC REPRIMAND | Licensee was reprimanded for a minor violation(s) of the law. This is considered disciplinary action. |
| CITATION ISSUED | A citation and/or fine has been issued for a minor violation(s) of the law. This is not considered disciplinary action under California law but is an administrative action. Payment of the fine amount represents satisfactory resolution of this matter. |
| ACCUSATION FILED | A formal, public charge by the Board alleging a physician violated the Medical Practice Act. This is the result of a fully investigated complaint that has been referred to the Attorney General's Office for prosecution. Practice is permitted unless otherwise specified. |
| PROBATION | Probation is the result of disciplinary action. Probation is ordered for a specified period of time during which the physician must comply with specified terms and conditions and report to a Board probation monitor. Practice is permitted unless otherwise specified. |
| OTHER DECISION | Other disciplinary decision. Contact the Central File Room for documents. |
| DECISION STAYED | The Board's decision to impose discipline has been stayed (put on hold) by Board pending its reconsideration or stayed by court pending judicial review. |
| PROBATION BEGINS IF CERTAIN PRECEDING CONDITION(S) ARE MET | Disciplinary decision rendered by the Board has a condition(s) that must be met prior to probation commencing as outlined in the decision. No practice is permitted until specified condition(s) are met. |
| PROBATION WITH SUSPENSION | Disciplinary decision rendered by the Board includes a period of probation and actual suspension as outlined in the decision. No practice is permitted while license is suspended. |
| ORDER VACATING DECISION | Disciplinary decision rendered by the Board is set aside as a result of a court order. |
| INTERIM ORDER | Licensee's practice has been temporarily restricted or suspended by a court order. Limited or no practice allowed while suspension is in place. |
| TEMPORARY RESTRAINING ORDER | Licensee's practice has been temporarily restricted or suspended by a court order. Limited or no practice allowed while suspension is in |

| | |
|--|--|
| | place. |
| AUTOMATIC SUSPENSION ORDER | License suspended during incarceration following a felony conviction. No practice is allowed while the license is suspended. |
| SUSPENSION PER PENAL CODE SECTION 23 | Licensee's practice has been temporarily restricted or suspended pursuant to a court order. Limited or no practice allowed while suspension is in place. |
| SUSPENDED BY OTHER STATE/FEDERAL GOVERNMENT | License suspended or revoked by another state or the federal government. |
| LIMITS ON PRACTICE | Limitations have been placed on the physician's practice. |
| PRIOR PROBATION COMPLETED | The licensee's period of probation has been completed. |
| FELONY CONVICTION | Licensee has been convicted of a felony. |
| DISCIPLINE BY OTHER STATE/FEDERAL GOVERNMENT | Another state or the federal government has disciplined licensee. |
| MALPRACTICE JUDGMENT | A malpractice judgment has been rendered against the licensee by a civil court. |
| HOSPITAL DISCIPLINE | The action taken by the healthcare facility against the physician's staff privileges to provide healthcare services at this facility was for a medical disciplinary cause or reason. |
| MALPRACTICE ARBITRATION AWARD | A malpractice arbitration award has been rendered against the licensee by a neutral third party arbitrator. |
| MALPRACTICE SETTLEMENTS | The licensee has agreed to resolve malpractice claims. |
| | |

NOTE: Authority cited: Sections 803.1, 2018 and 2027, Business and Professions Code. Reference cited: Sections 803.1 2027, Business and Professions Code.